M 312.4-16

38TH CONGRESS, 2d Session. | SENATE. | Ex. Doc. No. 16.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In compliance with a resolution of the Senate of December 20, 1864, information in relation to the arrest of Colonel Richard T. Jacobs, lieutenant governor of the State of Kentucky, and Colonel Frank Wolford, one of the presidential electors of that State.

FEBRUARY 1, 1865.—Read, ordered to lie on the table and be printed.

EXECUTIVE MANSION,
Washington, D. C., January 31, 1865.

SIR: I transmit herewith a communication from the Secretary of War, covering papers bearing on the arrest and imprisonment of Colonel Richard T. Jacobs, lieutenant governor of the State of Kentucky, and Colonel Frank Wolford, one of the presidential electors of that State, requested by resolution of the Senate, dated December 20, 1864.

Very respectfully, your obedient servant,

ABRAHAM LINCOLN.

Hon. H. HAMLIN,
President of the Senate.

WAR DEPARTMENT,
Washington City, January 31, 1865.

SIR: I submit herewith the report of the Adjutant General, with the papers conveying the information called for by the Senate resolution of December 20, 1864, bearing on the arrest of Colonel Jacobs, lieutenant governor of Kentucky, and Colonel Frank Wolford, one of the presidential electors of that State.

I am, sir, very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

The PRESIDENT *of the United States.*

WAR DEPARTMENT,
Adjutant General's Office, Washington, January 31, 1865.

SIR: I have the honor to submit herewith the papers called for by the Senate resolution of December 20, 1864, bearing on the arrest and imprisonment of Colonel Richard T. Jacobs and Colonel Frank Wolford. The report of Major

General Burbridge, dated January 16, 1865, was only received at this department the 17th of this month, and was specially called for, the report previously filed not fully answering the questions proposed in the resolution. This is the reason for the delay in making this report.

I am, sir, very respectfully, your most obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Hon. EDWIN M. STANTON, *Secretary of War.*

OFFICE UNITED STATES MILITARY TELEGRAPH,
War Department.

The following telegram, received at Washington 1.15 p. m., July 2, 1864;

FROM HEADQUARTERS, LEXINGTON, *July* 1, 1864.

J. HOLT, *Judge Advocate General:*

Wolford was arrested, in compliance with telegraphic orders from Lieutenant General Grant, dated Washington, June eleventh, eighteen sixty-four, (1864,) for making public speeches of an insurrectionary character, and discouraging negro enlistments. Affidavits and evidence were mailed to the Adjutant General June twenty-eight (28.)

S. G. BURBRIDGE,
Brigadier General Commanding.

43 Ky. 384, and 91 paid.

ADJUTANT GENERAL'S OFFICE,
January 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

EXECUTIVE MANSION,
Washington, July 7, 1864.

I hereby give my parole of honor that, if allowed, I will forthwith proceed to Louisville, Kentucky, and there remain until the court for my trial shall arrive, when I will report myself to their charge, and that in the mean time I will abstain from public speaking, and everything intended or calculated to produce excitement.

FRANK WOLFORD.

Colonel Wolford is allowed to go on the above conditions.

A. LINCOLN.

HEADQUARTERS PROVOST MARSHAL'S OFFICE,
Washington, D. C., July 7, 1864.

Official:

GEORGE R. WALBRIDGE.
Captain and Assistant Provost Marshal.

HEADQUARTERS MILITARY DISTRICT OF WASHINGTON,
Washington, August 2, 1864.

Official:

THEODORE McGOWAN,
Assistant Adjutant General.

A true copy.

E. D. TOWNSEND,
Assistant Adjutant General.

[Time, 1 p. m., in cipher.] OFFICE U. S. MILITARY TELEGRAPH,
WAR DEPARTMENT,
Washington, D. C., June 11, 1864.

Brig. Gen. S. G. BURBRIDGE,
Lexington, Kentucky:

It is reported here that ex-Colonel F. Wolford has been making to soldiers and others speeches of an insurrectionary and treasonable character. If you have proof of this, the Secretary of War directs that you arrest him and send him to Washington under guard.

H. W. HALLECK,
Major General, Chief of Staff.

ADJUTANT GENERAL'S OFFICE, *January* 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS DISTRICT OF KENTUCKY,
5TH DIVISION, 23D ARMY CORPS,
Lexington, Kentucky, June 28, 1864.

GENERAL: In compliance with telegraphic order from Lieutenant General U. S. Grant, general-in-chief, dated Washington, June 11, 1864, I have the honor to report that I have arrested *ex-Colonel Frank Wolford*, and that he is now on his way to Washington, under guard. I enclose the following papers in regard to his speech at Lebanon, viz: Deposition of A. K. Young; affidavit of Jos. Odell; letter written by Captain J. M. Fidler, provost marshal 4th district, Kentucky, giving statement of facts connected with Wolford's speech and the disturbances produced by it.

I have the honor to be, very respectfully, your obedient servant,

S. G. BURBRIDGE,
Brigadier General Commanding.

Brig. Gen. L. THOMAS,
Adjutant General U. S. A., Washington, D. C.

ADJUTANT GENERAL'S OFFICE, *January* 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS PROVOST MARSHAL,
FOURTH CONGRESSIONAL DISTRICT,
Lebanon, Kentucky, June 18, 1864.

SIR: In obedience to your order, of date June 11, 1864, received by me by telegraph, in Louisville, Kentucky, on that day, I have the honor of transmitting the following papers relative to the speech of ex-Colonel Frank Wolford, viz: Deposition of A. K. Young; affidavit of Joseph Odell; letter written by myself to you the day after the delivery of the speech.

A. K. Young is one of the most reliable men in Marion county, is wealthy, a large slaveholder, and by no means opposed to Wolford.

Joseph Odell is clerk of the board of enrolment, and, by my direction, took down, as far as possible, the speech of Wolford; he is reliable.

This work should have been done earlier had not the presence of guerillas caused the board of enrolment to adjourn to Louisville.

I am, very respectfully, your obedient servant,

JAMES M. FIDLER,
Captain and Provost Marshal 4th District, Kentucky.

Through Major W. R. SIDELL,
Acting Assistant Provost Marshal General, Louisville, Ky.

Brig. Gen. BURBRIDGE, *Commanding District of Kentucky.*

ADJUTANT GENERAL'S OFFICE, *January* 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

The deposition of Alfred K. Young, a citizen of Marion county, taken by direction of the provost marshal of the fourth district of Kentucky, under orders of the general commanding district Kentucky.

A. K. Young, being duly sworn to answer all questions proposed to him, deposeth as follows, viz:

Question. Were you in Lebanon, Kentucky, on Saturday, May 28, the day that ex-Colonel Frank Wolford spoke?

Answer. I was.

Question. Did or did you not hear the speech delivered entire?

Answer. I heard the speech up to the time of the disturbance caused by Captain Fidler's threats to arrest Wolford; I heard only a portion of his speech after that time.

Question. Did or did you not hear Wolford denounce the President of the United States? If so, state the terms he used in denouncing him.

Answer. He did denounce the President severely, but I do not remember the terms used.

Question. Do you not remember that he applied the terms "fool," "tyrant," "usurper," &c., to him?

Answer. I think that he did, to the best of my knowledge.

Question. Did he announce, in hearing of the people, that he was authorized to raise a regiment of Kentucky troops for the defence of the State by the governor?

Answer. He did.

Question. Do you remember whether or not he denounced the law for the enlistment of negroes.

Answer. He did, by saying it was unlawful.

Question. Did he refer to the enlistment of negroes at Lebanon? If so, did he not denounce the action of the provost marshal on enlisting negroes as "contrary to law and order, and disgraceful?"

Answer. I do not remember that he denounced the provost marshal at Lebanon, but he denounced the enlistment of negroes as "contrary to law, against order, and disgraceful."

Question. Do you not know that his speech was directly in opposition to the enlistment of slaves, calculated to infuriate the people, and productive of sedition?

Answer. A portion of his speech was directly in opposition to the enlistment of slaves. I do not know whether his speech would infuriate the people or not.

Question. Were you in the court-house at the time Captain Fidler threatened to arrest him?

Answer. I was.

Question. Do you remember what he (Wolford) said directly before he threatened the arrest?

Answer. I do not.

Question. Did he not call attention of the people to the fact that a poll had been opened in Lebanon for the enlistment of slaves; that it was contrary to law, disgraceful, and against order; and did he not call attention of the provost marshal to this fact?

Answer. I think he did.

Question. Do you remember what Captain Fidler said to ex-Colonel Wolford said then?

Answer. I do not.

Question. Did his speech produce considerable excitement in the country?

Answer. It did at the court-house. A large crowd was present from different parts of the country, and were considerably excited.

Question. You believe this excitement did discourage negro enlistment?

Answer. I don't know.

Question. You have been for many years a resident of Marion county, and a slaveholder, have you not?

Answer. Yes, sir, I have.

Question. Would you suppose that he could encourage enlistments of any kind by the speech he delivered at Lebanon?

Answer. He encouraged the enlistment of whites. His speech would not encourage negro enlistments, but discourage them.

Question. Was his speech calculated to infuriate the people against the present administration, and against the present government of the United States?

Answer. I think that it was. He said as much as a man could say against the administration.

Question. Was it not calculated to infuriate the people against the provost marshal department?

Answer. It was.

Question. If his speech had been heard by slaves, would it not have discouraged them from enlisting?

Answer. I think it would have done so.

Question. Did he denounce the rebellion?

Answer. He did, in severe terms.

Further deponent saith not.

Given at Lebanon, Kentucky, June 17, 1864.

A. K. YOUNG.

Subscribed and sworn to before me, this 17th day of June, 1864.

JAMES M. FIDLER,
Captain and Provost Marshal, Fourth District, Kentucky.

ADJUTANT GENERAL'S OFFICE,
January 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

I heard Mr. Frank Wolford speak for about four hours in the court-house in Lebanon, Kentucky, on Saturday, May 28, and undertook to make a nearly verbatim report, but the great length of the speech caused me to desist. I embodied

my understanding of what was said in a letter to the Louisville National Union Press, a newspaper published by L. A. Cecil, esq., in the city of Louisville, and think I did not in letter mistake or overcolor any of Mr. Wolford's positions. By reference to my original notes I find that the speaker used the words "tyrant," "usurper," and "fool," in connexion with Mr. Lincoln's name, and as applicable to him. He, in destinctive terms, charged him (the President) with being as great an enemy to the country as Mr. Davis, but did not think him conscious of it. He also qualified his remarks by saying that Mr. Lincoln thought it right to be a tyrant and usurper. Speaking of Mr. Lincoln's order dismissing him from the service, he said that the author knew it contained a "vile slander," and that it would help him (the President.) He said Mr. Lincoln had pronounced him (Wolford) "disloyal" in the order referred to. If this were so, the President was a "traitor" and a "scoundrel" for turning him loose upon the country.

"If we fail to defeat the present aspirant the country is gone" is one of his expressions in regard to Mr. Lincoln. In another part of his speech he said, "to take the alternative of Lincoln or Davis was crucifying one between two *thieves*."

He took especial pains to proclaim that he wanted only white men. He spoke contemptuously of negro soldiers; said the people of Marion county were disgraced by a "nigger recruiting office" in their midst—that everybody was disgraced by it. He denounced the enlistment of negroes as without warrant of law, and tauntingly proclaimed it to the provost marshal (who was in the house.) His frequent and indirect reference to the provost marshal's enlistment of negroes afforded opportunities for the crowd to turn their faces to that officer, Captain J. M. Fidler, and gave him a significant proof of their feelings. So fierce were Mr. Wolford's denunciations of negro enlistments that Captain Fidler interrupted him, and threatened to arrest him for "discouraging enlistments." Upon this an intense excitement ensued. Decided demonstrations were made by persons in the crowd indicative of a determination to resist any attempt that might be made to arrest him. Mr. Wolford here said he hoped the audience would consider that in case he was arrested, the violence would be towards him, and not to them. The tendency of the whole speech was, in my opinion, to give comfort to rebel sympathizers, dishearten Union men, discourage both white and black enlistments, and arouse a spirit of resistance to the laws.

JOSEPH ODELL.

The attached printed slip is the letter to the Union Press, referred to above, and sworn and subscribed to before me, at Lebanon, Kentucky, June 17, 1865.

JAMES W. FIDLER,
Captain and Provost Marshal.

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THE DAILY PRESS.

LOUISVILLE, *Thursday, June* 2, 1864.

[Correspondence of the National Union Press.]

LEBANON, KENTUCKY, *May* 27, 1864.

Ex-Colonel Frank Wolford makes a speech at Lebanon, Kentucky.—Denounces the President as a tyrant.—Boasts that he makes a severer speech than at Lexington.—Intense excitement.—Captain Fidler threatens to arrest him.—The crowd threaten resistance.

Ex-Colonel Frank Wolford came here to-day with authority in his pocket to raise a regiment of State troops for six months' service. An announcement that he would speak filled the court-house soon after dinner with a large audience of

"conservatives" and rebels. They evidently felt that he had come to give them both comfort, and never were expectant mortals less disappointed. Whatever of abuse, ridicule, and lugubrious prophecy lay within the speaker's power to hurl at the administration, they were gratified with. Had he not in distinctive terms announced his intention to raise federal soldiers, we should have supposed from his speech he was fearing a sudden descent of blue-coated vandals, and not gray-coated freebooters!

As the harangue lasted from two until six o'clock p. m., and repeated itself several times, we shall attempt nothing more in this report than a fair statement of its substance. Nearly half the time was occupied in a vindication of his own course, and a denunciation of the President of the United States for dismissing him. He denied that he had violated the fifth article of war, declared the act of Congress under which the President *pretended* to dismiss him unconstitutional, and finally declared that he was not and could not be dismissed the service at all. He had only chosen to obey for a purpose. We suppose, then, when the policy of this gracious obedience ceases, we shall again hear of Wolford's cavalry. "Under which king," colonel? We may presume that when next he takes the saddle it will be to execute his own order, dismissing the President. It may be, though, that Mr. Lincoln will be as accommodating as the quondam trooper, and choose himself to obey for a purpose. We shall see; and if the half Wolford charges upon him be true, we confess that we wait his decision with anxious solicitude. He tells us, in all apparent sincerity, that he is "tyrant, usurper, and fool;" that his policy has added two hundred thousand men to the rebel army, stopped volunteering in the north, promoted it in the south, struck down civil liberty everywhere, and transformed the whole country under his control into an infernal inquisition; that under his administration the *morale* of the army, once grand, glorious, and irresistible, has been so degraded that theft, murder, rapine, and pillage mark its track, and dim the lustre of its achievements; that the salvation of the nation depends not upon battles won in the field, but battles won at the ballot-box, and that Grant and Sherman must suspect their victories "Dead sea fruit" until Chicago seals their character. He tells us, too, that the appointees of the President are reeking in corruption; that, like their master, they have not thought of their country's good for two long bloody years; that military necessity is only military stealing; that a military governor is only a military tyrant; that a collector of internal revenue is only a private plunderer, and that confiscation is only highway robbery! In addition to all this, he tells us we are fighting our *brethren;* that we must deal gently with them; that they are too good to be killed with negro soldiers; that although they have slain our fathers and our brothers, denounced our wives, and defamed our sisters, loaded our posterity with debt, and sought to tear down our flag of glory, they must be treated as chivalrous knights, and welcomed home to the paternal mansion with music and dancing, the golden ring, and the fatted calf. He tells us, too, that though we have buried a quarter of a million of our sons in the name of liberty, their tombstone shall be an obelisk of slavery.

As a specimen of the orator's logic, we offer the following: "At the time when our army had not become a band of thieves, and it was high-minded and brave, fired with a noble purpose, and full of strength, *one-third* of the confederate army was occupied in guarding *another third*, and lay prostrate at our feet!" "But a change of policy came—the mutinous one-third returned to duty—the other third who guarded them were released, (200,000) two hundred thousand additional men rallied to the southern standard, and volunteering ceased in the north." Where, we ask Colonel Wolford, was the Union army *then* so strong, and the enemy *then* so weak, that it did not crush the foe? It is a double slander on our brave soldiers, first to say they have degenerated to thieves, and then that they neglected to conquer when they could easily do so. It is a slander, though, that refutes itself, and is liable to cover nobody but its utterer with infamy.

Such is the substance of Colonel Wolford's tirade poured into the ears of the delighted rebels who assembled here to hear him on Saturday. Of course they were pleased—of course they forgot the battles he had fought against them—"pardoned all" (more generous than the President) "to the spirit of liberty," and welcomed him with loud plaudits as a new ally.

What devil possesses him I know not, but he is certainly rushing "down a steep place." "Much learning," though we know "hath not made him mad," though much slaughter may, for he slays the king's English with as much *nonchalance* as he charges a rebel squadron. If, however, the President is as bad as he is represented to be, he has no right to be abused in respectable grammar. Indeed, he deserves to be treated in only barbarous Hottentot. If he is such a Ghoul, such a Nero, such a Caligula, such a South Sea islander, such an uncouth hyena, and ungodly Polyphemus, "*horrendum monstrum, informe, ingens cui lumen ademptum*," with no eye for the public good, his abuse ought to be growled, and howled, and yelled into his ears in the language of a Babel of infernal devils. Colonel Wolford's dialect is not sufficient punishment!

Such a picture of mingled anarchy, despotism, and horrid morals did the speaker draw, that we instinctively looked around for the glaring eyes of Robespierre and Danton; transformed a sweet rebel girl in front into a Charlotte Corday, fancied ourselves the identical Marat of her hate, and resolved to, in future, double-bolt our bath-room door. Nor are we quite sure, since we have escaped into the open air, which, contrary to our expectations, is still free, that we have not here, in Marion county, some of the elements of that lawlessness which characterized the days of the French revolution. The light manner in which Colonel Wolford spoke of the recent outrage of cutting off negroes' ears, condemning it only *sotto voce*, and the ready manner in which lawless hands found butts of pistols and the hilts of daggers when our gallant, brave, and outraged provost marshal publicly threatened the arrest of the speaker if he discouraged enlistments, creates more than a suspicion that, were certain physical restraints removed, an unartistic mode of scalping and an approved method of strangulation would be resorted to to rid the community of the board of enrolment and its obnoxious employés.

Does Mr. Wolford expect such speeches as his to repress this tendency to outrage, to allay the excitement, to secure peace and maintain order? Or does he desire to excite the mob and gorge himself with the blood that flows? Let him beware; let him reflect that he who raises the storm cannot always quell it. He may be "sowing the wind to reap the whirlwind." Stinging under a sense of personal wrong—susceptible of the magic influence of a sympathizing and impetuous crowd—fired, for aught we know, with the same ambition he so gratuitously imparts to others, he is a person not only to be watched, but restrained, and we greatly mistake the character of our rulers if he is permitted to be the commander of a brigade of Kentuckians raised under the influence of such speeches as he made here. We arraign him before his own sense of propriety as an unsuitable person to either raise or command troops subject to the orders of Abraham Lincoln, whom he villifies as a daily occupation. We arraign him before the American people as a practical secessionist, who, like his predecessors in 1860, now in 1864 declares the salvation of the country depends upon the defeat of Lincoln. We arraign him as a revolutionist, because he threatens in a certain contingency, of which he is to be the judge, to turn out the administration at the point of the bayonet. For all these reasons, and others, we protest in the name of loyalty, propriety, and the common good, against his appointment to command Kentucky troops. The prestige of his name, the glory of his past achievements, and the purity of his private character, only render him now in his deluded crusade upon his rulers the more dangerous and the more to be circumscribed in his action. Let him dismiss the vain thought that even with his ten thousand men he can turn the government from its course or change its

policy. With them, it is true, he may again summons the dread tribunals of war to hold their courts in our peaceful valleys, but he can never summon back the incubus of slavery to rest again with the weight of ages upon Kentucky prosperity. That is gone forever, and no thanks to him. When the apostates of liberty in the Breckinridge family have been forgiven on account of the eternal fame which settles even now upon the brow of their regal relative, and when the false steps of her brilliant Prentices and heroic Wolfords shall have been forgotten in the glory and grand, rushing prosperity of Kentucky's new birth, then we hope the words that seem harsh in this letter will no longer linger in the memory of the writer.

ADELOS.

ADJUTANT GENERAL'S OFFICE,
Washington, January 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS PROVOST MARSHAL, FOURTH DISTRICT KY.,
Lebanon, Ky., May 29, 1864.

SIR: I have the honor to submit, subject to your approval, the following statement of facts to the general commanding district of Kentucky, viz:

The citizens of the fourth congressional district have been for some time very much infuriated against the authorities for the enlistment of negroes without the consent of the master. This feeling has led them to commit acts directly contrary to the spirit of the law authorizing enlistments, and a disobedience to that part of the President's proclamation cited in General Order No. 42, headquarters district of Kentucky, of date of May 14, 1864. To prove this statement, I beg permission to call your attention to acts of the citizens of various counties in the fourth district.

1. Before a negro could enlist *without* his master's consent, one presented himself to the deputy provost marshal at Columbia for enlistment. The law was explained to the boy and he started home. The citizens were not satisfied with this, but followed him to the woods and severely whipped him. I immediately ordered an investigation. The parties *could not* be found! and it was declared by disinterested parties to be only justice to the negro, since he had "sassed" his owner.

2. Fifteen negroes from Green and Taylor counties applied to my headquarters for the purpose of enlisting; they had not the consent of their owners, and under existing orders I could not receive them. I explained the law to them; gave them to understand that I would protect and enlist them as soon as they obtained the proper consent. They left my headquarters, were captured in Lebanon by four young men, assisted by a crowd of men and boys, and were severely whipped. I immediately arrested the parties, although I was threatened with a mob if I did it. The case was promptly reported, and the young men, after a time, released until further orders.

3. In the county of Green, serious threats were made against the deputy provost marshal, and men announced that the enlistment should cease.

4. In Taylor county, negroes were whipped, thrown in jail, and in other ways deterred from enlisting.

5. In La Rue county, a special agent was captured and nearly killed by guerilla citizens.

6. In Hardin, the deputy provost marshal has not been able to enlist or send negroes to these headquarters because of the information of citizens.

7. In Spencer county the deputy provost marshal was beaten and run out of

his county. Excitement in Casey county caused the citizens of Casey to tear down all posters sent out by the deputy provost marshal.

In truth, in almost every county in the district the wildest excitement has prevailed; only fears have prevented an outbreak. I have acted as carefully as possible, and at the same time have attempted to prevent all outbreaks. In recruiting negroes I have acted in precise accordance with the law and orders, but an intense feeling has ever existed against the law.

Designing politicians of the Wolford and Jacobs stripe understand this excitement, and know that they can wield it for their own advantage; hence we hear constantly of seditious speeches. Give the people an opportunity, or encourage them in the least, and they will attempt to prevent enlistments entirely. Further, they will make it necessary for all government officials to seek safety in flight. Wolford knew this when he made his speech (of which I telegraphed you yesterday) in Lebanon, on the 28th ultimo. He understood the state of the public mind well before he spoke. He saw in the action of his hearers, he heard in their significant cheerings when he referred to the President, negro enlistments, and provost marshals, that the people were ripe for mutiny. I ask your attention to the following statements.

On the 28th ultimo, ex-Colonel Frank Wolford appeared in Lebanon to speak, and at 1 o'clock p. m. repaired to the court-house, where a large crowd had congregated to hear him. I do not design referring to his whole speech as spoken by him, because it was coarse, rough, and illogical. It is unnecessary to call attention to the epithets applied by him to the President, or his denunciations of provost marshals, because such things only index an illiterate, fanatical demagogue, who, to promote his own good, would sacrifice country.

He clearly and distinctly announced that the enlistment of negroes "is against law, contrary to order, and disgraceful to the instruments who enlist them, and disgraceful to the people."

He clearly and distinctly called attention of the provost marshal to this fact, viz: "that he acted without law and contrary to good order."

His whole speech discouraged negro enlistments. I stopped him in the midst of his speech and told him that I would arrest him for discouraging enlistments. The citizens present declared that I should not arrest him, and cried "Go on, go on." Not caring to take him by force, I left him unmolested.

This speech was calculated to infuriate the people against the authorities, to endanger the lives of specials who had enlisted negroes, to cause the people to undertake by force of arms to prevent negroes from enlisting. A negro would not dare come to Lebanon to enlist but for the presence of soldiers.

His speech was ostensibly for the purpose of encouraging enlistments, but, Antony like, he stirred up sedition by skilfully delivered sophistry. To give him the unlicensed liberty of speech that he claims, is to give indirect aid to sedition and mutiny. He claims liberty of speech, but means liberty to create an incitement against the government that will create an outbreak and elevate him. He claims the right to discuss the constitutionality of law, but means the right to declare that there is *no* law for the action of the government. He claims the right to instruct the people when he desires, and over mislead them by his fanatical, demagogue, seditious speeches.

I am your obedient servant,

JAMES M. FIDLER,
Captain and Provost Marshal, 4th Dist. Ky.

Major W. D. SIDELL,
Act. Ast. Prov. Mars. General for Kentucky.

ADJUTANT GENERAL'S OFFICE, *January* 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

UNITED STATES OF AMERICA, *District of Kentucky:*

THE PRESIDENT OF THE UNITED STATES
against
Colonel FRANK WOLFORD.

Joseph Wasson, Stephen Swift, David S. Goodloe, W. O. Goodloe, Speed S. Goodloe, Hiram Shaw, sr., Hiram Shaw, jr., being duly sworn, state that Colonel Frank Wolford, in his speech delivered in the city of Lexington on Thursday, March 10, 1864, advised the citizens of Kentucky, in the event the President of the United States should attempt to enlist negro soldiers in the State of Kentucky, to be prepared for resistance; that the time had not yet come to arm; that Kentuckians should be ready; it was their duty to resist, and said he had no doubt that the governor (who was present) would arrest and put in the penitentiary any person who would attempt the enrolment and enlistment of negroes in the State of Kentucky; that any person there to report what he said could go and tell Mr. Lincoln that the starving women and children of the south, whose sufferings he was prolonging by throwing impediments in the way of a settlement of this question, curse him; to tell him the soldiers of our army curse him. He said, "Tell him from me, I say it."

In the course of his speech he denounced the President of the United States as a tyrant and usurper, and spoke of the traitor at Richmond and the traitor at Washington.

JOSEPH WASSON.
S. SWIFT.
HIRAM SHAW.
D. S. GOODLOE.
H. SHAW, JR.

We subscribe to a portion of the foregoing statement, having left the hall some twenty minutes before the conclusion of the speech.

SPEED S. GOODLOE.
W. O. GOODLOE.

Subscribed and sworn to before me by the persons whose names are subscribed above, this 13th day of March, 1864.

MORGAN VANCE,
Com. U. S. C. C. K. D.

I certify that the above is a true copy of the original affidavit now on file in my office.

MORGAN VANCE,
Com. U. S. C. C. K. D.

June 18th, 1864.

UNITED STATES OF AMERICA, *District of Kentucky:*

THE PRESIDENT OF THE UNITED STATES
against
Colonel FRANK WOLFORD.

Marcus H. Miles being sworn as a witness, states that he heard the speech delivered by Colonel Wolford in the city of Lexington on the 10th of March, 1864; that Colonel Wolford in that speech advised the citizens of Kentucky that in the event the government at Washington should attempt the enrolment and drafting of negroes in the State of Kentucky, it would be their duty to resist such enrolment and drafting of negroes with all the power of their noble State; that he had confidence that his excellency (who was present) would

sustain them in such resistance; that it was as much their duty to protect themselves against the traitor at Washington as the traitor at Richmond.

He said that such drafting of negroes was stealing the property of the citizens of Kentucky, and advised the owners of slaves, if they were so taken, to lash them home again; that many officers thought it their duty to implicitly obey the orders of their superiors; that he did not consider himself bound by any such obligation; if he were ordered to steal his neighbor's property he would obey no such order. During his speech he said the President had resisted the efforts of the abolitionists for eighteen months, but had finally yielded, and the result was his negro-stealing proclamation; that about the close of his speech he addressed himself to reporters of his speech, if any were present, and said, "Tell the tyrant at Washington" so and so, and "tell the traitor at Washington" so and so.

M. H. MILES.

Subscribed and sworn to before me this 15th day of March, 1864.

MORGAN VANCE,
Com. U. S. C. C. K. D.

I certify that the above is a true copy of the original affidavit now on file in my office, June 19, 1864.

MORGAN VANCE,
Com. U. S. C. C. K. D.

ADJUTANT GENERAL'S OFFICE,
January 30, 1865.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

[*Indorsement on the above.*]

HEADQUARTERS DISTRICT OF KENTUCKY,
Lexington, Kentucky, July 18, 1864.

Respectfully forwarded to the Adjutant General U. S. A., Washington, D. C., as additional to enclosures in letter from these headquarters, dated June 28, 1864.

S. G. BURBRIDGE,
Brevet Major General Commanding.

Charges and specifications against Frank Wolford, citizen.

CHARGE I. "Aiding the enemies of the country by the public expression of disloyal sentiments, in violation of General Order No. 38, of headquarters department of the Ohio, of April 13, 1863."

Specification. In this: that Frank Wolford, a citizen of the State of Kentucky, and recently a colonel in the army of the United States, in a public speech addressed by him, on or about the 28th day of May, 1864, to a large assemblage of citizens of Kentucky and others, at Lebanon, Kentucky, a State in the military department of the Ohio, within the lines of the army of the United States, and at that time the theatre of military operations on the part of the government of the United States against the public enemy, did declare in their presence and hearing as follows, or in words to the following effect, namely: That the present President of the United States was "a tyrant, a usurper, and a fool;" that "his (the President's policy) had added two hundred thousand men to the rebel army, stopped volunteering at the north, promoted it in the south, struck down civil liberty everywhere, and transformed the whole country under, his control into an infernal inquisition;" that "under his administrations the *morale* and discipline of the army had been degraded;" that the appointee

of the President were reeking in corruption, and, like the President, their master, had not thought of their country's good for two long bloody years; "that President Lincoln was as great an enemy to the country as Davis"—(meaning Jefferson Davis, the President of the so-called southern confederacy;) that "to take the alternative of Lincoln," (meaning President Abraham Lincoln,) "or said Davis, was like being crucified between two thieves;" that "if President Lincoln were not defeated in the next election, the country was gone." And in that, further, he denounced and abused the President of the United States for summarily dismissing him (Wolford) from the service as a disloyal person, and declared that the President's order of dismissal contained a "vile slander;" and in that, further, he denounced the policy of negro enlistments, and declared that they were "unlawful and disgraceful," besides also using many other expressions of the same disloyal character; all the said sentiments and expressions so declared and spoken by him being calculated to give aid, comfort, and encouragement to the enemy, and to those in sympathy with them, and did in fact give such aid, comfort, and encouragement by exciting a spirit of resistance to the laws of the United States, and by impairing the power of the government of the United States in the suppression of the existing rebellion.

CHARGE II. "Discouraging, denouncing, and opposing the enlistment of colored troops."

Specification. In this: that Frank Wolford, a citizen of the State of Kentucky, and recently a colonel in the army of the United States, in a public speech addressed by him on or about the 28th day of May, 1864, to a large assemblage of citizens of Kentucky and others, at Lebanon, Kentucky, a State in the military department of the Ohio, within the lines of the army of the United States, and at that time the theatre of military operations on the part of the government of the United States against the public enemy, did declare in their presence and hearing as follows, or in words to the following effect, namely: That "the enlistment of colored or negro troops was against law, contrary to the usages of war, and disgraceful both to the officers engaged in it and to the people;" that the office for recruiting negroes established at said Lebanon by officers representing the United States government was "a disgrace;" that the provost marshal of the district in promoting the enlistment of negroes was acting "without law and contrary to good order;" and in that, further, he spoke in contemptuous language of negro soldiers, and vehemently denounced the President and the government of the United States for the employment of negro troops; all which sentiments and language so used and expressed by him were calculated and disloyally intended to excite the populace to resist the enlistment of negro troops, to deter negroes from enlistment through fear of personal danger, and to endanger the lives and liberty of officers of the United States engaged in recruiting colored troops, as well as to discourage Union citizens and give aid, comfort, and encouragement to the enemy and those in sympathy with them.

JOHN A. FOSTER,
Colonel and Judge Advocate, Special Military Commission.

Witnesses:
JAMES M. FIDLER,
Captain and Provost Marshal.
JOSEPH ODELL.
A. K. YOUNG.

ADJUTANT GENERAL'S OFFICE,
January —, 1865.

Official copy:

Assistant Adjutant General.

WASHINGTON, D. C., *January* 16, 1865.

SIR: In response to the resolution of the Senate of the United States, calling for information concerning the arrest of Frank Wolford and Lieutenant Governor Jacobs, of Kentucky, I have the honor to submit the following report:

In March last Frank Wolford, then colonel of the first Kentucky volunteers, cavalry, was arrested by order of the commanding general of the department of the Ohio, for making a disloyal speech in the city of Lexington, Kentucky.

The charges against him, drawn up by Major H. L. Burnett, judge advocate of the department, were forwarded to the headquarters of the department at Knoxville, Tennessee. Before trial, however, he was dismissed from the service of the United States by order of the President.

In July last I was directed by telegraph from the general-in-chief to arrest Wolford and send him under guard to Washington, and forward the affidavits, and other testimony against him, to the Adjutant General of the army. This order was obeyed. Wolford was at once arrested and sent to Washington, and the affidavits of Captain J. M. Fidler, of Lebanon, Kentucky, and other parties, forwarded to the Adjutant General.

No official notice of Wolford having been released from arrest reached me, but in a few weeks he was again in Kentucky, and again making speeches calculated to do much harm to the Union cause, to discourage the enlistment of negroes, and to create a spirit of resistance to the authority of the general government. I sent for Colonel Wolford and warned him that the course he was pursuing would bring him into trouble, and that he would not be permitted to make such speeches in Kentucky. He still persisted, however, in making them, and in November last I ordered his arrest and banishment to the south.

At the time of his arrest, Lieutenant Colonel Duff, inspector on the staff of the lieutenant general, was in Kentucky, and requested that the execution of the order of banishment be postponed until the case could be brought to the notice of the lieutenant general, and his decision obtained. This was done, and Colonel Wolford retained as a prisoner in Kentucky for some weeks, when, hearing nothing from Lieutenant Colonel Duff, and Wolford pledging himself, if released, to avoid again opposing the policy of the government of Kentucky, I ordered his release from arrest, and he is now at liberty.

Lieutenant Governor Jacobs was also guilty of making public speeches calculated and apparently intended to weaken the efforts of the government for the suppression of the rebellion.

In November last I ordered his arrest and banishment to the south. This order was executed, and he was sent from Kentucky *via* Point Pleasant, Virginia, and the Kanawha valley, within the rebel lines.

Enclosed are the affidavits of Colonel Clark, 47th Kentucky infantry volunteers, supported by the indorsement of Major F. H. Bierbower, acting judge advocate of the district of Kentucky, and of Lieutenant Colonel Matthews Mullins, supported by the statements of Major Joseph W. Stivers and Captain Charles R. Curtis, relative to a speech made by Lieutenant Governor Jacobs at Paris, Kentucky, in April, 1864; also a letter from Doctor T. S. Bell, of Louisville, Kentucky, repeating remarks publicly made by Lieutenant Governor Jacobs.

I understand that permission has been granted Lieutenant Governor Jacobs to return to Kentucky, and that he is already within our lines; but of this I am not officially advised.

It is useless to attempt to keep Kentucky free from guerillas and the people of the State true to their allegiance, if such men as Wolford and Jacobs are permitted to make public speeches throughout the State reviling the administration,

inducing the people to oppose the policy of the government, and thwarting the efforts of the military authorities in restoring law and order.

Respectfully submitted.

S. G. BURBRIDGE,
Brevet Major General United States Volunteers.

Hon. EDWIN M. STANTON,
Secretary of War.

ADJUTANT GENERAL'S OFFICE,
January 30, 1865.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

COUNTY OF FAYETTE, *State of Kentucky:*

The affiant, A. A. Clark, colonel commanding, 40th Kentucky volunteer infantry, being first duly sworn, states that on the 4th day of April, 1864, he was present at Odd-Fellows' hall, in the city of Paris, State of Kentucky, and heard Lieutenant Governor Jacobs, in a speech to the citizens, utter seditious language, and strive to provoke and excite the people of Bourbon county to forcibly resist the enlistment of negroes.

The affiant further states that the language used by Lieutenant Governor Jacobs was of such violent and insulting kind that he, the affiant, walked out of the house, and that while he was so going out of the house and before he had reached the door, Lieutenant Governor Jacobs called the attention of the audience to his (affiant's) displeasure, saying in these words, or words of like effect: "I know that Lincoln's tools don't like to hear the truth; no Kentuckian who is not a slave will ever support him in his lies or tyranny, but will resist him with arms in his hands."

The affiant further states that he has read the affidavit of Lieutenant Colonel Mullins, and that it contains a true and fair statement of what was said by Lieutenant Governor Jacobs in his speech at Paris, Kentucky, on the 4th of April, 1864.

A. A. CLARK,
Colonel 47th Kentucky Volunteer Infantry.

Subscribed and sworn to before me, the 19th day of November, 1864.

F. H. BIERBOWER,
Major and Acting Judge Advocate, Military District Kentucky.

Official copy:

F. H. BIERBOWER,
Major and Acting Judge Advocate, Military District Kentucky.

[Indorsed.]

HEADQUARTERS MILITARY DISTRICT KENTUCKY,
Office Acting Judge Advocate, Lexington, November 21, 1864.

I was present in Paris at the speech of Lieutenant Governor Jacobs, and heard all of the statements attributed to Lieutenant Governor Jacobs in the accompanying affidavit.

F. H. BIERBOWER,
Major and Acting Judge Advocate, Military District Kentucky.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

Statement of Major Joseph W. Stivers.

HEADQUARTERS DISTRICT OF KENTUCKY,
Lexington, June 17, 1864.

Major Joseph W. Stivers states that he has carefully read the sworn statement of Lieutenant Colonel Matthew Mullins of this date, hereto attached, and that he was present on the 4th day of April, 1864, at the Odd-Fellows' hall in Paris, Kentucky, and heard the speech made then and there by Colonel R. B. Jacobs; that the statement of Colonel Mullins is true, and that the remarks mentioned therein as having been made by Colonel Jacobs were made by him as stated; and more, that Colonel Jacobs then and there stated that Mr. Lincoln was a usurper and a tyrant, and the armies of the southern confederacy (so called) should never surrender to the abominable authorities of the United States government, for if they did they would be disgraced, and that if they now laid down their arms to the present administration these States would be unworthy of being ever received back again into the Union.

JOSEPH W. STIVERS.

The above statement subscribed and sworn to before me this 17th day of June, 1864.

W. O. WATTS,
Captain and Acting Judge Advocate, District Kentucky.

Official copy:

F. H. BIERBOWER,
Major and Judge Advocate, Military District Kentucky.

Statement of Lieutenant Colonel Matthew Mullins.

HEADQUARTERS DISTRICT OF KENTUCKY,
Lexington, Ky., June 17, 1864.

Lieutenant Colonel Matthew Mullins, of the 40th Kentucky infantry, states that he was present at Paris, Kentucky, on or about the 4th day of April, 1864, at which time and place Colonel R. B. Jacobs made a public speech at the Odd-Fellows' hall upon the subject of the enlistment of the negroes in the State of Kentucky, and in denunciation of the President of the United States and all other officers in the service of the government of the United States who favored, supported, or sustained the present administration, or the enlistment of negroes in the United States service; states that he was present during the delivery of the entire speech; that he considers, and did at that time believe, the entire speech inflammatory and seditious, and believed the effect at the time, if not restrained, would be civil war in the State of Kentucky. That Colonel Jacobs, on that occasion, advised the people of Kentucky to rise up in mass and resist with all their power the endeavors of "Lincoln or his minions" to enlist negroes in the army of the United States. That the people in their might and power ought to rise up and go and hurl Abraham Lincoln, the despot, from his seat. That Charles the First of England had lost his head for a less offence than Mr. Lincoln's proclamation, and that he, Mr. Lincoln, might yet also lose his head. That Colonel Jacobs's entire speech was abusive and disrespectful in every respect to the administration, and abusive and discouraging to all officers and soldiers of the United States army who heard it, and not only calculated to discourage enlistment in "Lincoln's army," as he called it, but to inflame and excite the minds of the people of Kentucky to openly rebel against the United States authorities.

M. MULLINS,
Lieutenant Colonel 40th Kentucky Volunteer Infantry.

The above statement subscribed and sworn to before me, this 17th June, 1864.

W. O. WATTS,
Captain and Acting Judge Advocate.

Official copy:

F. H. BIERBOWER,
Major and Acting Judge Advocate, Military District Kentucky.

Statement of Captain Charles R. Curtis.

HEADQUARTERS DISTRICT OF KENTUCKY,
Lexington, June 18, 1864.

Captain Charles R. Curtis, fortieth Kentucky infantry, states, that he was present on or about the 4th day of April, 1864, at the Odd-Fellows' hall, in Paris, Kentucky, and heard the speech of Colonel R. B. Jacobs, lieutenant governor of Kentucky; and that he has carefully read the sworn statement, and hereto attached, of Lieutenant Colonel Matthew Mullins, in reference to said speech, and that the said statement, and the matters and things therein contained, are true.

CHARLES R. CURTIS,
Captain Company A, Fortieth Kentucky Volunteers.

Subscribed and sworn to before me, this 18th day of June, 1864.

W. O. WATTS,
Captain and Acting Judge Advocate, District Kentucky.

Official copy:

F. H. BIERBOWER,
Major and Acting Judge Advocate, Military District Kentucky.

A true copy:

E. D. TOWNSEND,
Assis'ant Adjutant General.

OFFICE UNION CENTRAL COMMITTEE,
Louisville, Kentucky, January 11, 1865.

DEAR GENERAL: Although the burden of my duties is heavy just now, and must be until the 1st of next month, some friends common to both you and myself, friends whose wishes are law to me in matters of loyalty, think that I should say something to you in relation to the conduct of Lieutenant Governor Jacobs during the past summer and fall. This is considered the more incumbent on me from the well-known fact that I neither sought nor advised his arrest. I know that many of the tallest lights of the unconditional Union men did not only advise but urged his arrest long before it was done, and they rebuked me because I would not consent to join in giving this advice to you. I never doubted the mischievous practices of the course of Colonel Jacob. The worst emissaries of Jeff. Davis among us in 1861 never uttered worse language, never inculcated worse doctrines, never were more zealous and active in efforts to undermine all the supports of national patriotism, than I heard and saw in Colonel Jacobs. The evil of his course consisted in the fact that he was in our uniform while serving the cause of the public enemy, and that, too, in the perilous condition of Kentucky. In addition to this, Colonel Jacobs received

his nomination for the office, which gave him *all* his importance, from a Union convention that put down Cravens, of Indiana, before he had fused a thousandth part of the copper that the heated passions of Colonel Jacobs poured forth almost in a continuous stream. I heard Cravens, saw him stopped in mid-volley and put to silence, and I have heard Colonel Jacobs in his belching. Yet you know that I am tender-footed about arrests, and I frankly acknowledge that I have not a particle of fitness for that kind of duty, although I have no doubt it is sometimes a sacred duty. I have no more qualification for its performance than Mr. Lincoln, and my mind has been well established upon a fact that I told the honorable Henry J. Raymond of over two years ago, that if Mr. Lincoln had a little more of the Nero in him, and a considerably smaller amount of the clemency of Julius Cæsar, than he daily exhibits, we should get along much more finely in putting down the rebellion. Under this improved regime we should keep our home possessions weeded, yet it is probable that I should do worse than Mr. Lincoln in this department. Old Horace hits me:

> "I know the right, and I approve it too,
> I hate the wrong, and yet the wrong pursue."

But enough of this. I felt that, in giving testimony in this case, it was proper to show that I am a disinterested witness. The fact that Colonel Jacobs, immediately after the very proper dismission of Frank Wolford from the military service, seized hold of him as his *fidus achates*, and paraded the traitor before the people of Kentucky as ostentatiously as Marc Anthony did the gaping wounds of Cæsar, and for quite as sinister a purpose as that of Marc Anthony, sufficiently shows the status of Colonels Jacob Wolford and Jacobs were well yoked in ability, oratory, and patriotism.

Soon after the ground-tumbling of Colonel Jacobs from the height to which we had mistakenly raised him, (I was on the train of cars with him, on my way from Lexington to Louisville,) the colonel was holding forth in a mixture of bad English, vituperation, and vulgarity, upon the atrocious despotism and tyranny of the President of the United States. There was a distinguished East Tennesseean on the train, on his way to attend that grand fizzle, an adjourned meeting of a convention at Knoxville, which Andrew Johnson shivered into atoms. When this gentleman first reached Louisville as a refugee, it was my good fortune to help him; and he came to me and expressed himself in very kind terms. A man sitting by Colonel Jacobs knew this East Tennesseean, and took advantage of this proximity to introduce my friend to the colonel. The colonel seemed to redouble his furious denunciation, if that were possible. He announced lugubriously that he had heard that the whole of Wolford's regiment had two long streamers of crape on their hats, floating over their backs, as a mark of their silent detestation of the tyrant Lincoln. I have never read viler epithets towards President Lincoln in the southern papers. Among other things, he announced that the President's whole public life was a continued series of usurpations and tyrannies; and he was especially wrathful upon the amnesty proclamation. He roundly asserted that the amnesty proclamation was stolen bodily from the amnesty proclamation of Philip II, of Spain—that in which he offered pardon to the men now known as the founders of the Dutch republic. This was very much the staple of Colonel Jacobs's speeches, because there must be monotony where versatile power is absent.

In one of his Indiana speeches, parties who heard him assured me that he said "Kentucky had endured Mr. Lincoln's election; her people would not endure his re-election." In his speech in this city, the night before the presidential election, he said: "There is no possible chance for the election of Mr. Lincoln to-morrow, but by bayonets; and I am ready, in the event of his election, to shoulder my musket and join you (the audience) in overturning the government." The loyal men who heard his speech said "he uttered treason enough

in it to hang a hundred men." Mr. Calvert, of the *Union Press*, heard the speech, and says it was one of the vilest things of the kind he ever heard.

In addition to this treason he displayed a remarkable amount of vindictiveness. He is *now*, undoubtedly, like Jeff. Davis, desirous of being let alone; but in that speech at our court-house, on the evening of the 7th of November, 1864, he announced his desire for a savage prescription, as soon as his hoped-for triumph was secured. He was at Joshua Speed's office during the day, professing a steadfast friendship for him, but in the speech at night, as soon as the full McClellan glow got in him, and the steam of Chicago commenced, he said that the Speed family and all of kindred sentiments would have to be shipped from here; that Kentucky could not and would not tolerate such people.

The whole course of Colonel Jacobs in his speeches was traitorous, vindictive, intolerant and vituperative. This is his style, from which he could no more depart than Mr. Lincoln could sing in a becoming manner,

"Hark from the tombs a doleful sound,"

while he was telling a little joke.

During the convention I never heard a delegate utter a word of censure on this arrest. It was repeatedly referred to in private conversations, and always approvingly. I said nothing about my private opinion, because I did not wish any one to suppose that I am antagonistic toward you. You have rendered the cause of loyalty in Kentucky such infinite service—you have, under my observation, been so unflinching, so self-sacrificing, so firm and courageous, from the commencement of this rebellion, that I would rather give up a personal judgment or opinion than seem to censure you.

Remember me in the very kindest terms to our true friend, James Speed, and believe me to be, very truly yours,

T. S. BELL.

Major General BURBRIDGE,
Commanding District of Kentucky.

A true copy: E. D. TOWNSEND,
Assistant Adjutant General.

Messrs. EDITORS: Will you permit me, through your valuable journal, to make a statement to the people of the United States in regard to my arrest and ultimate expulsion from the lines of the federal forces.

About half past seven p. m. on the 11th of November, a few days after the election, as I was writing up stairs in my country home, some twenty-four miles above the city of Louisville, on the Ohio river, I heard some one calling me. I hoisted the window and asked who wished me. I was answered, Captain Hawes.

Knowing him slightly, I asked him if he would not stay all night with me. He said no, that he was in a great hurry, but wished to speak to me a moment. Fearing that they might be guerillas, and not the persons they represented themselves to be, I buckled on a brace of revolvers and walked down stairs to open the door, determined to defend myself to the last. Upon opening the door I discovered that it was Captain Hawes with some armed soldiers. He said, Colonel, I am ordered to arrest you, by Major General Burbridge. I answered: Very well, sir; but you will have to come up stairs and let me get a few clothes.

We walked to the village, and soon were on our way to Louisville. On the mail-boat I received orders to converse with no one. On the cars, from Louisville to Lexington, many came up and addressed me. Seeing the embarrassment of Captain Hawes, who treated me very kindly, I would invariably answer that I was a prisoner, and not permitted to talk. When we arrived in

Lexington, I was taken, I believe, to general McLean's headquarters. Here I confidently expected to see Brevet Major General Burbridge. Conscious of having committed no crime, I was extremely solicitous for the interview. My curiosity was aroused as to wish to know what possibly could be the charges and grounds upon which I was arrested. If I was solicitous for the interview, General Burbridge was not. Knowing that he was committing a great crime against an innocent man, he was too cowardly to meet me. He shrank like a whipped hound from that interview. In two hours' time I was ordered to get in an ambulance, and soon we were on our way to Cincinnati. I had requested that I might see my daughter, who was going to school in Lexington. I did not obtain the permission; whose fault, I know not. At Cincinnati I informed Captain Hawes that I had no suitable clothing for the winter, and a very small amount of money, some twenty-five dollars, and as I did not know where I was going to, or how long I would be detained from home, I would like to telegraph to Louisville for my clothes. My trunk was there, and a check for one hundred dollars. He said he would telegraph to General Burbridge. No answer was ever received. He shortly came back, and informed me that we were ordered to cross the river again, which we did, and went on a steamboat. The next afternoon we were in Catlettsburg, Kentucky.

Here Captain Hawes delivered me over to a new set of guards, and took his departure. I was here kept two days and nights under very close guard, and not permitted to talk except upon the most trivial subjects. I was evidently kept here in order to give Major General Burbridge and his masters—because he is but a miserable tool in the hands of bad, vile men in Kentucky—time to forge a lie, by which they could give an excuse for their damnable conduct. On the afternoon of the second day I was ordered to keep myself in readiness for the first boat. My friends came and asked me if I needed anything. I replied, some under-clothing and a hundred dollars. These were given me, and offered as much more money as I wished. Still thinking that I was probably only going to Washington, or where I could draw for money as I wished it, I declined.

After we were on the boat, Lieutenant Chester Chamberlain, of the 46th Indiana veteran volunteers, informed me that my destination was to be placed outside of the federal lines. We stopped at Gallipolis. Here I was offered, voluntarily, more money by a stranger that I never heard of or saw before, only asking for my memorandum. Having money in one of the banks of Louisville, I gave him my check for and received one hundred dollars. I would give his name, but prudence, on his account, suggests not. Two days afterwards I was placed outside of the lines, across Gauley river.

Lieutenant Chamberlain gave me an order stating that, by order of Brevet Major General Burbridge, I was placed outside of the lines, and that I should not return during the war, under penalty of death. Just here I will state that this officer, also Captain Hawes and the gallant men under him, treated me with the utmost kindness Here I was placed afoot, with a few clothes and a small amount of money, forced to go to Richmond, accepting the hospitality of those I had fought against. If it had not been for kind persons and friends I should have been without proper clothes and about fifteen dollars. I believe that it was the intention of General Burbridge and masters so to place me, and if I perished, so much the better. Murder was in their base hearts, but they were too cowardly to be more merciful, and have me shot at once. I will live, and to their discomfiture. Certainly, to have deserved so great a punishment, I must have committed a great crime. What crime? I know not, nor did they deign to tell me. Without charges, or specifications, or trial, even by that body unknown to the Constitution to try citizens, a military commission, I was thrust out of the federal lines. I have nothing to base even a conjecture, except a telegram taken from the Cincinnati Commercial of the 16th of November, which reads thus: "The Post's Washington letter says the arrest of Lieutenant Governor Jacobs,

of Kentucky, will lead to important disclosures. There are rumors of a widespread conspiracy existing in that State, not to take it over to the rebel confederacy, but to inaugurate a second revolution, the object of which is to make Kentucky independent of the general government."

If my arrest would lead to important disclosures, why did they not keep and interrogate and develop those astounding disclosures? Would not common sense teach that such would be the course? But they knew in their guilty hearts that when they accused me of treason, or contemplating revolution, they lied. Major General Burbridge can take this especially to himself. Therefore, instead of interrogating and developing the facts by examination of me, they hurried me rapidly out of the lines, closely guarding and preventing me from vindicating myself to my friends. "There are rumors of a widespread conspiracy existing in that State, not to take it over to the rebel confederacy, but to inaugurate a second revolution, the object of which is to make Kentucky independent of the general government." In the name of common sense I would ask, what fool originated that idea? Was it Major General Burbridge, or that monomaniac and demoniac Doctor R. J. Breckinridge, ("two-fifths devil and three-fifths original sin," by his own acknowledgment; or, if I were to place the component parts, four-fifths devil, and one-fifth original sin,) on plots and revolutions? An independent government, poor Kentucky; between the two great waring sections, she would be in the position of an egg between tons of rock hurled against it; any one but a fool or a monomaniac would know it. I do not believe that there is any conspiracy in Kentucky, either to go to the southern confederacy or to throw off the allegiance of the general government, or for any other purpose, except a plot on the part of Doctor R. J. Breckinridge and a few other Jacobins, with Burbridge as a dirty tool, to break up the State government so that they could rule or ruin. I believe that they have been trying for some time to force a rupture between the State government and the federal. The wisdom of Governor Bramlett has prevented it. As for me, I know of no conspiracy, either in the past, present, or future, to revolutionize Kentucky. I believe it to be a lie, cut out of whole cloth. Now, Messrs. Editors, why was I arrested? Was it because I was an enemy to the Union and the Constitution? God forbid! Permit me for a moment to dwell on my antecedents. I was a Breckinridge democrat. In the extraordinary sessions of the Kentucky legislature, at the commencement of the rebellion, the Union strength in the representative chamber was forty-eight to forty-seven. I made the forty-eighth man. With my vote, the secession element would have been the strongest, and the State would undoubtedly have been carried out of the Union. Loving the "Union and the Constitution" with my whole heart and soul, as I do now, notwithstanding my persecution and bad treatment by bad men, I fought my own party with all the energy and intellect that I possessed. As soon as my friends thought that I could be spared from the legislature, I started to raise an infantry regiment. Time only prevented me. Consolidation took place too quick. Morgan invaded the State. Seeing that the federal forces were doing no good, I offered to be one of fifteen hundred or two thousand men who would arm and equip ourselves, and laying ourselves alongside of John Morgan, stay there until one or the other were cut to pieces. Morgan left the State, or I would have had five thousand (5,000) men thus self-equipped in a short time. At General Boyle's request, who then commanded the district, I raised a cavalry regiment.

I have a letter in my possession, from the then adjutant general of the State, seven days from the time I advertised, that if the information from Mercer was correct, my regiment was full. The information was correct. I raised twenty-five hundred (2,500) men, as the adjutant general's books will show before I quit. In a hand-to-hand sabre and pistol fight two months afterwards at Lawrenceburg, cut off in the heat of the fight from my regiment, I first had

a hand-to-hand fight, our pistols not three feet from each other's head, with Colonel Alston, commanding brigade. I wounded him, then surrounded by nine of the enemy. I gave repeated orders to my men, rallying them to the work, defending myself to the best of my ability, and refusing to surrender, until my gallant horse kicked me out of that fight, minus a hat which was shot from my head, the ball slightly grazing my forehead. The eleventh man shot me in two places—one over the region of the heart, and one through the muscle of the left arm. I still refused to surrender, ultimately got to my men, and drove them from the field. After several months of suffering from my wounds, I again rejoined my men, and stayed with them to the last day, though in the mean time nominated and elected lieutenant governor of Kentucky, by nearly sixty thousand majority.

As I have been accused of treason, I speak thus briefly of my services, so that those that do not know me can judge for themselves.

Then, what is my crime, and why am I punished? Because I was opposed to the re-election of Mr. Lincoln, and was an earnest advocate for the election of General George B. McClellan. There is and can be no other reason. I defy my enemies for proof to the contrary. Even if they knew the most intricate secrets of my heart they could not bring it. My prayers, my heart, my tongue, my pen, and my right arm, aye, and my left, have all been used for the restoration of the Union of our fathers under the Constitution.

The very moment that I made a speech last March in New York, advocating the election of General McClellan to the presidency, that moment I was denounced as a traitor by some of the administration organs. True, I commented on, boldly and without reserve, the whole policy of the administration, as I had an undoubted right to do, as a free-born American citizen.

Mr. Lincoln was a candidate for re-election. His policy and claims were before the people. I had a right to comment and discuss them. I believed that he had violated the Constitution, had consolidated the rebellion, divided the loyal States, and was rapidly building up a despotism upon the ruins of the republic, utterly prostrating all personal liberty. I earnestly believed that his re-election would be a curse to my country. Believing so, I energetically worked against him. Though making many speeches, I never made one without an invitation, and in all of them I said to the people that if Mr. Lincoln was re-elected by the voice of the people that I and all good citizens ought and would submit, however much I might regret and fear his re-election. Just a few minutes before I was arrested I wrote to a friend: "If Mr. Lincoln's re-election should prove a curse, as I verily believe it will, I, having done all that I could against him, cannot blame myself. But away with Mr. Lincoln and politics. If the American people can stand him, I certainly can."

I intended to give no factions opposition. I said to the people of Kentucky that his policy had a tendency to despotism. Was my arrest, after his re-election, and when it was most probable that I would not speak again for months, intended to strike home and confirm that fact?

The true grounds of my arrest were because I was an earnest advocate of General McClellan for the presidency, and the low, dirty malice of base men who worked upon Burbridge as a suppliant tool. I pity the brave people of my noble old State to have a military commander over them who is but a machine in the hands of men whose "hearts are set on fire from hell," to manipulate at pleasure their own base purposes. Imagine this petty tyrant of Kentucky, a tall, pink-faced, black-haired, pretty fellow—face generally suffused red with chronic drunkenness, a head of the shape of an old-fashioned sugar-loaf—and with the most powerful microscope it would be impossible for one to discover the first ray of intelligence under the complete control of inordinate vanity, whiskey, and a broken down political preacher—and an intelligent community can form

some slight conception of the evils that the loyal and brave people of Kentucky have to suffer.

Now, a loyal man, true as the truest, without crime, without a solitary specification against me, without giving me a hearing a solitary moment, I am thrust among a brave people whom I have fought against. I expect to be well treated. Brave men are always kind to the unfortunate. It is only cowards, like the two B.'s—Burbridge and Breckinridge—that have hearts like tigers. I will tell them the truth. I will not obtain their hospitality by lying. I will tell them that I am a "Union man at all hazards," and would lay down my life freely to see two parts of a great people reunited and once more, hand in hand, marching on to a prosperity, happiness, and glory, beyond all other people. I would only ask them for shelter and protection whilst rapidly passing through their land to take passage to a foreign country, until I could be restored to my own dear native land.

This is the first opportunity, Messrs. Editors, that I have had to defend myself. If the President is the great and magnanimous man that his friends say he is, he will have the order ordering me into banishment revoked and restore me to my children, friends, and duties as lieutenant governor of Kentucky. As I am no criminal, I do not ask for pardon, but simply for justice. As much as I wish to be at home and see my children and friends, I will not come back as a disgraced man. I will either come without a single right as an American citizen abridged, or I will perish in a foreign land.

If the latter be my destiny I will have the proud satisfaction of knowing that many a better man died in exile and in prison than the scoundrels who banished and imprisoned them.

To-day an exile, homeless—but, thank God, not friendless, because never man had truer or braver friends, and they spring up all around me as I advance from all parties and sections—with my whole fortune on my back and in my valise, with a stout heart and a proud consciousness of rectitude, I would not exchange position with Brevet Major General Burbridge, with the burning consciousness of having committed a low, dirty, malicious, cowardly act, unworthy of a soldier, gentleman, or man of honor—a tool of base, vindictive men, who, when they have exhausted him for their own dirty purposes, will be the first to give him a kick.

Respectfully, RICHARD T. JACOBS.

GENTLEMEN: Will you be so kind as to publish this, and ask papers irrespective of party to do the same. I would send to Louisville "Journal" or "Democrat," but I am afraid they would be suppressed if they published it. If you do so you will greatly favor one who is punished for being one of the chief agents in carrying Kentucky against the administration.

Yours, respectfully,

RICHARD T. JACOBS.

"THE WORLD," 85 *Park Row, New York.*

As this is written in a great hurry and no time to rewrite or correct, I would be obliged if the editors would correct mistakes.

I have never belonged to a secret society, political or otherwise, in my life. I am in principle opposed to it. Please state this.

I have just heard that the newspapers were stating that Lieutenant Governor Jacobs, not being able to pass through the confederate lines, had, like the prodigal son, returned to Gallipolis, confessed his sins, and had been pardoned. The parable will not hold good in regard to myself. The prodigal son wasted his father's patrimony; I have been defending mine—the Union and the Constitu-

tion. Profligate sons drove me from the country; I will return when the people become tired of eating the husks thrown by bad men, and when the calf Burbridge is killed. It will be sooner than they expect.

[*Indorsements on the above.*]

HEADQ'RS FIRST SEPARATE BRIGADE,
Department West Va., Charleston, West Va., January 3, 1865.

This document was sent through the lines and delivered to me to be forwarded for publication.

Respectfully forwarded to department commander.

JOHN H. OLEY,
Colonel, Commanding Brigade.

HEADQUARTERS DEPARTMENT WEST VIRGINIA,
January 12, 1865.

Repectfully forwarded to the honorable the Secretary of War, inviting attention to the indorsement of Colonel Oley.

GEORGE CROOK,
Major General Commanding.

By Robert P. Kennedy, Major and A. A. G., the general being absent.

A true copy: E. D. TOWNSEND,
Assistant Adjutant General.

January 17, 1865.

SIR: The enclosed statement of Captain J. Bates Dickson, Assistant Adjutant General, regarding the arrest of Colonel Frank Wolford, is referred to in my report, made in response to the Senate resolution, and should have accompanied it. Please transmit it with the report.

I am, very respectfully, your obedient servant,

S. G. BURBRIDGE,
Brevet Major General of Volunteers.

Hon. E. M. STANTON,
Secretary of War.

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On the 12th of March, 1864, Frank Wolford, then colonel 1st Kentucky cavalry volunteers, was placed in arrest, by the order of Major General J. M. Schofield, for making a public speech, of a treasonable nature, at Lexington, on the 10th of the same month. The order for arrest was subsequently revoked by General Schofield, but about the same time Colonel Wolford was ordered by Major General Grant to report, in person, at Nashville. Upon arrival there he was ordered to report in arrest for trial at Knoxville, Tennessee. Charges and specifications were drawn up by Major H. L. Burnett, judge advocate of the department of the Ohio, and forwarded to the headquarters of the department at Knoxville. Before the trial commenced, however, an order from the President was received, dismissing Colonel Wolford from the service.

Wolford returned to Kentucky and made several speeches calculated to injure the cause of the general government in that State, and in July, 1864, was arrested by order of Brevet Major General Burbridge, in accordance with telegraphic order from the general-in-chief. In compliance with the same order, he was sent to Wash-

ngton, under guard, and the testimony against him, consisting of affidavits of Captain J. M. Fidler, of Lebanon, and others, sent to the Adjutant General's office. In a short time he again appeared in Kentucky, though no official information of his having been released or paroled has ever been received at the headquarters military district of Kentucky.

Wolford commenced canvassing the State for McClellan, and in his speeches used the most abusive epithets against the President and the administration, and counselled armed resistance to the execution of the policy of the general government in Kentucky.

For this, an order for his arrest and banishment was issued by Brevet Major General Burbridge. While on his way south, *via* Covington, Kentucky, at the request of Lieutenant Colonel W. L. Duff, inspector on the staff of the lieutenant general, he was stopped at that city until the decision of the lieutenant general, to whom Lieutenant Colonel Duff telegraphed, could be received. Thus the matter rested for some weeks, until, no instructions being received from the headquarters of the army, Wolford was released by order of Brevet Major General Burbridge.

J. BATES DICKSON,
Captain and Assistant Adjutant General.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

Ex. Doc. 16—3.

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